IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:06-CV-279-DCK

HILDA B. JACKSON,)
Plaintiff,))
v.	ORDER
CAROLINAS HEALTHCARE SYSTEM , ET AL.)))
Defendants.)))

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Motion To Set Aside The Dismissal For Good Cause" (Document No. 67) filed January 10, 2008. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review of this motion is appropriate.

Having carefully considered the motion, the record, and the applicable authority, the undersigned will deny Plaintiff's motion. The undersigned does not find that Plaintiff's motion states good cause to set aside the Court's Order (Document No. 65) filed on December 5, 2007, granting summary judgment to Defendants.

Any delay in Plaintiff's receipt of the Court's Order is regrettable but has no impact on the Court's disposition of this case and is Plaintiff's responsibility; Plaintiff has insisted on maintaining her Lake Wylie, S.C. address as her contact address, even in the current motion, despite her relocation to Florida.

Plaintiff contends that she did not have an "opportunity to address the allegations the Defendants brought forth," but the record shows that Plaintiff filed a "...Memorandum In Response To The Defendants' Motion For Summary Judgment" (Document No. 52) on

May 11, 2007, and declined an opportunity to present arguments at a hearing scheduled for June 19, 2007. The Court relied on the parties' briefs in deciding the motion for summary judgment and that information was available to all parties.

Plaintiff does not articulate good cause to set aside the Court's previous Order granting summary judgment and the undersigned will therefore respectfully deny Plaintiff's request to re-open this case.

IT IS, THEREFORE, ORDERED that Plaintiff's "Motion To Set Aside The Dismissal For Good Cause" (Document No. 67 be **DENIED**.

Signed: January 14, 2008

David C. Keesler

United States Magistrate Judge